

Special Programs

Laboratory Affiliates

General Information

PURPOSE:

- .01 A Laboratory Affiliate is an individual who personally renders services to the Laboratory on a short-term or infrequent basis. Laboratory Affiliates are not Laboratory employees. The Laboratory engages the services of Laboratory Affiliates when such services contribute to the mission of the Laboratory. The Laboratory may enter into Affiliate agreements with personnel to
- Benefit from recognized expertise in a specific field,
 - Provide for the mutual exchange of professional expertise,
 - Collaborate on projects of mutual interest,
 - Improve interagency communications,
 - Support and assist other institutions with the development of technological capabilities and knowledge transfer, or
 - Encourage the use of Laboratory facilities for educational purposes, provided this use is in the Laboratory's interest.

ADMINISTRATION:

- .02 The Consultant and Affiliate Services (CAS) Section in the Special Programs Group (HRD-2) administers the agreements for Laboratory-sponsored Affiliates. The Special Employment Programs Section in HRD-2, in conjunction with CAS, administers programs for Affiliates funded by other organizations.
- .03 Agreements are processed and established by CAS according to Laboratory policy. Exceptions to policy require Director's Office approval. *The Affiliate must not render services before the agreement is executed.*

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Nonpersonal Services	.04	Services rendered by an agency, corporation, or other group of people rather than by a specific individual should be referred to the Materials Management Division (MAT). Such services are used when the Laboratory wants a product, such as a formal study, an extensive report, or a design produced by more than one individual, rather than a certain individual's expertise on a project.
CATEGORIES:	.05	The appropriate Affiliate category is determined by the status of the individual as an independent contractor or employee of another organization and by the services the individual renders.
Official Visitors	.06	An Official Visitor is an individual who is invited to the Laboratory for a short visit to attend a meeting, present a colloquium, conduct a seminar, or engage in other similar activity. An Official Visitor should not actively participate in actual experiments or other Laboratory work. See AM 1202 , <i>Official Visitors</i> .
Guest Scientists	.07	A Guest Scientist is an individual who is provided access to Laboratory facilities for conducting specific research under Laboratory sponsorship when the proposed research is in the Laboratory's interest. See AM 1203 , <i>Guest Scientists</i> .
Collaborators	.08	A Collaborator is an individual, usually employed by a university or other research institution, who participates in research activities as a peer with other staff in the Laboratory organizational unit. The research performed is of mutual benefit and interest to the Collaborator and the Laboratory. See AM 1204 , <i>Collaborators</i> .
Consultants	.09	A Consultant is an individual who provides expert advice, not otherwise available to the Laboratory organization, to satisfy programmatic needs. See AM 1205 , <i>Consultants</i> .
	.10	Deleted.

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| Borrowed Personnel | .11 | An individual on a Borrowed Personnel Agreement is an employee of another organization that, as a condition of employment, prohibits its employees from private consulting but allows the Laboratory to borrow its employees for a limited term. Borrowed Personnel have unique knowledge in scientific, engineering, technical, or administrative fields. A Borrowed Personnel Agreement is established with the parent corporation rather than with the Affiliate. See AM 1207 , <i>Loaned Employees</i> . |
| Educational Institution | .12 | To be published. |
| Consortia
(AWU and NORCUS) | .13 | A Consortia appointee is a graduate student or faculty member assigned to the Laboratory by the Associated Western Universities, Inc. (AWU), or the Northwest College and University Association for Science (NORCUS) to participate in DOE-supported research opportunities. See AM 1209 , <i>Consortia Employees</i> . |
| Military Research
Associates | .14 | A Military Research Associate (MRA) is a career, active-duty military officer with training and interests relevant to the Laboratory's work and mission who is assigned to the Laboratory for a regular tour of duty. See PDDoD Military Programs web-site . |
| Service Academy
Research Associates | .15 | A Service Academy Research Associate (SARA) is an officer or cadet/midshipman from a service academy or postgraduate school assigned to the Laboratory for four to twelve weeks, usually during the summer. See PDDoD Military Programs web-site . |
| Industrial Staff Members | .16 | An Industrial Staff Member is a professional employee from private industry who has technical competence comparable to that of a Laboratory Staff Member. Industrial Staff Members work at the Laboratory on projects of mutual interest to the Laboratory and to industry and are paid by their parent institutions. See AM 1212 , <i>Industrial Staff Members</i> . |

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- APPROVALS:**
- .17 Approvals required for Affiliates are shown in [AM 600.II](#). Chart of Approvals. Exceptions to policy must be approved by the Director.
 - .18 Deleted.
- ESTABLISHED DATES:**
- .19 Agreements are written to cover only the stated time period. Any exceptions to the dates of the services stated in the agreement must be approved in writing by the cognizant Associate or Assistant Director *before services are rendered*.
- PLACE OF SERVICE:**
- .20 Services are usually performed at the Laboratory. Services performed away from the Laboratory must have prior written approval of the sponsoring Division Leader.
- PAYMENTS:**
- .21 An approved Affiliate Invitation Request form (Form 910) authorizing the visit must be on file in HRD-2, in the Payroll Group (ACT-2), and the Travel Group (ACT-8) before payment to the Affiliate is made.
- Subsistence**
- .22 Subsistence is an allowance computed on a half-day basis intended to cover the costs of meals, lodging, tips, laundry, and valet services. See [Travel Home Page](#)
- University of California Employees**
- .23 University of California policy governs participation of, and fees for, University of California faculty members.
- Federal IRS Tax**
- .24 All fees are subject to IRS regulations.
- TERMINATED EMPLOYEES:**
- .25 Terminated employees are not eligible to receive fees as Affiliates for one year following separation unless the Assistant Director for Human Resources (ADHR) waives this restriction. This restriction does not apply to retirees. Individuals who are terminated for cause are not eligible to participate as Affiliates at any time.

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- MULTIPLE AGREEMENTS:** .26 Concurrently funded agreements for an Affiliate are not permitted; however, it is possible to change the category of an Affiliate temporarily. Changes in Affiliate category must be approved by the cognizant directorate.
- UNAUTHORIZED USE:** .27 Services of Laboratory Affiliates may not be used
- To circumvent Laboratory personnel ceilings, pay limitations, or employment procedures;
 - To establish Laboratory policy or manage Laboratory activity;
 - When the expertise is available within the Laboratory; or
 - To supervise Laboratory employees.
- CONFLICT OF INTEREST:** .28 An Affiliate may not engage in activities that could be considered a conflict of interest. Such activities include, but are not necessarily limited to, those activities described in the subsequent paragraphs. See also [AM 722](#), *Contracts*.
- Negotiations** .29 A Laboratory Affiliate may not negotiate or influence the placement of any Laboratory subcontract or purchase order with an institution that the Affiliate
- Owns,
 - Is proprietor of,
 - Is a partner in,
 - Consults for,
 - Is a corporate director or officer in, or
 - Owns more than 10% of the capital stock.
- Specifications** .30 A Laboratory Affiliate may not be involved in the preparation of specifications for equipment, supplies, software, or services that the Affiliate, the Affiliate's parent institution, or other institution for which the Affiliate consults could

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supply, either as a sole source or as a competitive bidder.

Technical Assessment

- .31 A Laboratory Affiliate may not participate in the review and evaluation of (1) the technical aspects of work done by the Affiliate, the Affiliate's parent institution, another institution for which an Affiliate consults, or a competitor institution; or (2) any bids, quotations, or proposals from any such entities.

Use of Unpublished Information

- .32 A Laboratory Affiliate may not use advance or unpublished information obtained while at the Laboratory that will benefit the Affiliate, the Affiliate's parent institution, or other institutions for which an Affiliate consults unless doing so will be mutually beneficial to the Laboratory and the Affiliate. Procedures set forth in [AM 721](#), Conflict of Interests: Privileged Information, must be followed regarding privileged information and unpublished technical data. When a question regarding mutual benefit arises, written approval must be given by the sponsoring line manager. The line manager may wish to seek advice from the Laboratory Legal Counsel (LC).

Near-Relative Employees

- .33 It is permissible for Laboratory Affiliates to be near relatives of Laboratory employees. See [AM 722](#), *Contracts, for definition*.
- .34 No Laboratory employee may participate in any action concerning the definition of need for, selection of, or contractual terms and conditions applying to an Affiliate who is the employee's near relative. Director approval is required if an Affiliate will be working with the same organizational unit as a near relative; for such approval, the definitions and procedures of [AM 102](#), Employment Policies shall apply.

Duplicate Payments

- .35 The sponsoring Laboratory division must not authorize payment to any individual as a Laboratory Affiliate if the individual is employed by a DOE Integrated Contractor or if the individual's services are covered by a Purchase

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Order contract/invoice arrangement. See [AM 1002](#), *Procurement*.

SAFETY: .36 Sponsoring line managers are responsible for providing appropriate supervision and safety orientation including explaining Laboratory safety policies and procedures and potential hazards associated with the job.

SECURITY: .37 Laboratory Affiliates must comply with all DOE security regulations and with Laboratory security policies and procedures. See [AM 702](#), *Security*.

ACCESS APPROVALS:

Security Clearance .38 Security clearances are processed by the Personnel Security Section of the Computer and Information Group (OS-4) only as required (when the individual will need frequent access to Laboratory security areas and/or to classified information). Affiliates must be U.S. citizens to receive a security clearance. The requesting Laboratory organization must indicate whether or not a clearance is required (and if so, the badge category). If a clearance is required, justify the need and provide full name, date of birth, and information as to whether or not the individual currently holds or ever has held a Q-clearance (and if so, where).

Badge Categories .39 All Q-cleared Laboratory Affiliates are divided into three categories for the purpose of issuing badges:

Category I - Picture badge for cleared individuals. The badge request must be approved by the Associate Director for Support (ADS).

Category II - Distinctively colored picture badge showing an expiration date (same as date agreement ends). The badge request must be approved by the cognizant Associate or Assistant Director.

Category III - Distinctively colored badge (without picture) showing an expiration date (same as last date of current visit). The badge

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request must be approved by the requesting Division Leader when the Affiliate Agreement is signed. A badge must be obtained from OS-4 at the start of each visit and returned at the end of the visit. Before each visit, a copy of the Affiliate Invitation Request with the Division Leader approval signature and indicating starting and ending dates must be sent to OS-4.

FOREIGN NATIONALS:

- .40 Prior DOE approvals and the appropriate Immigration and Naturalization Service (INS) visa documents are required for all visits and assignments by foreign nationals to all Laboratory facilities (except for visits by Permanent Resident Aliens whose green cards can be verified).

DOE Approval

- .41 The sponsoring line manager must initiate the approval process required for proposed participation of a foreign national. Allow at least 3 months' lead time for DOE approvals.
- .42 OS-4 notifies the Division Office and the CAS Section of approval or disapproval of each proposed visit or assignment. A foreign national may not visit until DOE approval is received.

Visas

- .43a The length of stay and the type of payments (if any) determine the type of visa required. It is the responsibility of the sponsoring organization to inform the Affiliate that an appropriate visa must be obtained before rendering services to the Laboratory. The sponsoring organization should make no commitment to the foreign national about the type of visa that the Laboratory must submit to INS or about specific visa arrangements. The sponsoring line manager must contact the CAS Section so that visa requirements can be reviewed and action initiated to obtain the appropriate visa. In conformance with INS regulations, the visa must be obtained before the visit can commence.
- .43b The sponsoring organization should contact the CAS Section about visa requirements and for assistance in preparing visa petitions and related forms for foreign nationals employed or rendering

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services to the Laboratory. After the CAS Section has reviewed the visa requirements and determined the specific visa needed, the CAS Section normally prepares and submits J-1 (Exchange Visitor) visas for foreign nationals employed or rendering services at the Laboratory. The CAS Section may also prepare and submit H-1 (Temporary Worker of Distinguished Merit and Ability) visas for foreign nationals subject to the critical skills list and for postdoctoral appointees recommended by the Postdoctoral Committee. Requests for exceptions to the above must be submitted to the CAS Section and approved by the ADHR. The CAS Section will send a memorandum from the Division Leader justifying the exception to the ADHR with an information copy to the cognizant directorate. *See also [AM 102](#), *Employment Policies*.*

Visa Petition Fees

- .43c The sponsoring organization is charged for the INS petition filing fees.

OFFICIAL TRAVEL:

- .44 An Affiliate who is currently rendering services to the Laboratory may be sent on travel for Laboratory business. The Affiliate is reimbursed for such travel in accordance with regular employee travel policies. See the [Travel Home Page](#).